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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BOARD OF TRUSTEES OF THE
PAINTERS AND FLOORCOVERERS
JOINT COMMITTEE, et al.,

Plaintiffs,

vs.

FF&E REFINISHING NV, LLC, a Nevada
limited-liability company; FF&E
REFINISHING, LLC, a Georgia limited-
liability company; ROBERT MARIO
INSENGA, an individual; ARIA RESORT &
CASINO HOLDINGS, LLC, a Nevada
limited-liability company; JOHN DOES I-XX,
inclusive; and ROE ENTITIES I-XX,
inclusive,

.

Defendants.

Case No.: 2:19-cv-02056-JCM-BNW

**STIPULATION AND ORDER FOR
EXTENSION OF TIME FOR ARIA
RESORT & CASINO, LLC TO FILE ITS
RESPONSIVE PLEADING**

[Third Request]

By and through their counsel, Defendant Aria Resort & Casino, LLC, incorrectly named as Aria Resort & Casino Holdings, LLC (“Aria”), Defendants FF&E Refinishing NV, LLC (“FF&E Refinishing NV”), FF&E Refinishing, LLC (“FF&E Refinishing”), Robert Mario Insenga (“R Insenga”) (FF&E Refinishing NV, FF&E Refinishing and R Insenga collectively referred to herein as the “FF&E Defendants”) (the FF&E Defendants and Aria collectively referred to herein as the “Defendants”) (Plaintiffs and Defendants collectively referred to herein as the “Parties”) hereby Stipulate, Agree and Request this Court’s Order as follows:

1 1. This matter is currently pending before the above-entitled Court and has not been
2 scheduled for trial. There are no summary judgment or dispositive motions pending before the
3 Court.

4 2. On January 31, 2020, the Parties entered into a Stipulation and Order for Extension of
5 Time to File Responsive Pleadings and Consent to Audit [ECF 7], which was approved by this Court's
6 Order filed on February 4, 2020 [ECF 8]. This extension was requested so that the Parties could
7 exchange documents, Plaintiffs could perform a payroll compliance audit ("Audit"), and the Parties
8 could attempt to reach a resolution of their claims and defenses. This Stipulation and Order for
9 Extension of Time allowed Defendants until March 30, 2020, to file their responsive pleadings.

10 3. The Plaintiffs' third-party Auditor performed the Audit and issued an Audit Report
11 on March 25, 2020. The Parties sought a second extension of time for responsive pleadings to be
12 filed, until May 1, 2020, to allow the Parties time to review the audit report and attempt to reach a
13 resolution. The requested extension was approved by this Court on April 1, 2020 [ECF 11]. On
14 May 1, 2020, the FF&E Defendants filed their Answer to the Complaint. [ECF 12].

15 4. In order to facilitate further discussions among the Parties attempting to reach a
16 resolution, and also because Aria was dealing with, and continues to deal with, the unprecedented
17 disruption to its business resulting from the COVID-19 pandemic including closure of the casino-
18 hotel property and furlough of the overwhelming majority of its employees, the Parties agreed to
19 allow Aria until May 20, 2020 to file its responsive pleading.

20 5. On May 14, 2020, the Parties met and conferred for their Rule 26(f) conference.

21 6. This is the third request for an extension of time to file responsive pleadings and is
22 not requested to cause delay or for any other improper purpose.

23 7. This Stipulation is made in an effort to avoid protracted litigation with
24 accompanying costs and is not an admission of liability, nor is this Stipulation a modification of any
25 collective bargaining agreement or trust agreement.

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CHRISTENSEN JAMES & MARTIN, CHTD.

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Committee, et al.*

DATED: May 14, 2020

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LLC and Robert Mario Insenga*

DATED: May 14, 2020

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*Attorney for Defendant Aria Resort &
Casino, LLC*

DATED: May 14, 2020

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

5/18/2020

DATE